00550

1961/11/02

16

ADVANCE COPY

~~SECRET~~

1009

GENEVA

CONFE 809, NOVEMBER 2, 3 PM

NIACT

EYES ONLY FOR THE PRESIDENT FROM HARRIMAN.

REFERENCE FECON 554. FOL.

FOLLOWING CONFIRMS MY TELEPHONE CONVERSATION WITH THE PRESIDENT TODAY.

THE PROBLEM WHICH PUSHKIN AND I HAVE FRANKLY DISCUSSED, WAS THE NEED ON HIS PART FOR A FACADE, AND ON MY PART, TO OBTAIN SUBSTANCE. ON THIS BASIS, WE HAVE REACHED A GENERAL UNDERSTANDING.

INSPECTIONS BY THE INTERNATIONAL COMMISSION ARE TO BE INITIATED AND CARRIED OUT, EITHER AT THE REQUEST OF THE GOVT, OR BY A MAJORITY OF THE COMMISSION. THIS HAS BEEN STATED IN PUSHKIN'S DRAFT IN PRECISE LANGUAGE.

WHEN IT COMES TO REPORTING ON THESE INVESTIGATIONS, PUSHKIN PROPOSES A METHOD WHICH IS NOT FAR FROM THE PRESENT METHOD OF REPORTING -- NAMELY, THERE SHALL BE A SINGLE REPORT IN WHICH THE OPINIONS OF THE THREE COMMISSION MEMBERS WILL BE EXPRESSED, EITHER UNANIMOUSLY, MAJORITY-MINORITY, OR SEPARATELY. IN EXPRESSING THIS, HOWEVER, HE INSISTS ON CALLING THESE REPORTS "AGREED" REPORTS.

WHEN I RAISED WITH PUSHKIN THE POSSIBILITY OF ONE OF THE COMMISSIONERS REFUSING TO SIGN A REPORT, EXPRESSING MAJORITY-MINORITY OR INDIVIDUAL VIEWS, HE SAID THAT WAS IMAGINARY. THE

~~SECRET~~

~~SECRET~~

ICC MEMBERS COULD NOT REFUSE, SINCE THE NEXT SENTENCE MAKES THAT COMPLETELY CLEAR. PUSHKIN HAS SAID "EACH MEMBER HAS FULL SCOPE FOR INDIVIDUAL ARGUMENTS, EVALUATIONS AND EXPRESSION OF VIEWS."

SIMILAR INTERPRETATION HAS BEEN MADE BY ALL OF US HERE, INCLUDING THE INDIAN AND CANADIAN DELEGATES, BOTH OF WHOM HAVE TOLD ME THEY WOULD PUT THEIR ORAL STATEMENTS IN WRITING IF DESIRED. THEY EXPLAIN THAT IN THE FULL SENTENCE, "COMMISSION SHALL SUBMIT AGREED REPORTS", THE WORD "SHALL" IS THE CONTROL WORD. THEY STATE THIS MEANS THAT ALL MEMBERS MUST SIGN THE REPORT, WHETHER OR NOT THE REPORT CONTAINS DIFFERENCES OF OPINION, AS PROVIDED IN THE NEXT SENTENCE, AND ALSO THAT REPORTS MUST BE MADE PROMPTLY, AS IS PROVIDED ELSEWHERE.

THE BRITISH AND FRENCH GOVERNMENTS, AS WELL AS THE CANADIAN AND INDIAN GOVERNMENTS, HAVE AGREED TO THE SUBMISSION OF OUR REVISED TEXTS TO PUSHKIN. THE PRESIDENT AUTHORIZED ME TODAY TO JOIN IN AUTHORIZING MACDONALD TO SUBMIT THESE REVISED TEXTS TO PUSHKIN THIS AFTERNOON.

IN ANSWER TO THE PRESIDENT'S QUESTION AS TO WHAT WOULD HAPPEN IF POLES REFUSE TO SIGN OR UNDULY DELAYED REPORT, I REPLIED THAT THE POLE WOULD THEN HAVE BREACHED THE AGREEMENT AND THE OTHER MEMBERS OF THE COMMISSION WOULD BE FREE TO SEND IN THEIR REPORTS WITHOUT THE POLE'S SIGNATURE.

I MENTIONED MY CONCERN OVER REPORTS OF OCTOBER 31 ATTACKS BY MEOS IN NEIGHBORHOOD XIENG KHOUANG AIRFIELD AND ALSO DELAYS IN PRINCES NEGOTIATIONS DUE TO PRETEXTS ADVANCED BY BOUN OUM - PHOUMI.

ROWELL

RJT

~~SECRET~~